

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION****IDAHO POWER COMPANY,****Complainant,****v.****CITY OF EAGLE, IDAHO,****Respondent.**

)

)

)

)

)

)

)

)

)

)

**CASE NO. IPC-E-04-4****NOTICE OF PUBLIC WORKSHOP****NOTICE OF HEARING****ORDER NO. 29465**

On February 11, 2004, Idaho Power Company filed a complaint against the City of Eagle requesting that the Commission authorize the utility to construct a new 138-kV transmission line from the Eagle substation to a new substation in Star. Idaho Power's complaint was instituted after the City denied Idaho Power's application to build the line through Eagle. The disputed issues in the complaint include: 1) the route of the transmission line through or around the City; 2) the manner of construction (i.e., via aerial poles or underground or a combination; and 3) whether a surcharge be added to Eagle customers' bills "to recover the incremental additional costs associated with underground construction or with construction on [a more expensive] alternative route...." Complaint at 2.

In Order No. 29444 issued March 15, 2004, the Commission scheduled a prehearing conference for the parties to discuss how this case should be processed. Based upon the agreement of the parties, the Commission issues this scheduling Order.

**THE PREHEARING CONFERENCE**

As set out in Order No. 29444, the purpose of the prehearing conference was for the parties to discuss how this case should be processed. The following parties entered appearances at the prehearing conference.

For Idaho Power Company:  
(Exhibit Nos. 0-99)

Barton L. Kline, Senior Attorney  
Monica Moen, Attorney II  
Idaho Power Company  
PO Box 70  
Boise, ID 83707-0070

NOTICE OF PUBLIC WORKSHOP  
NOTICE OF HEARING  
ORDER NO. 20465

For the City of Eagle:  
(Exhibit Nos. 100-199)

Susan B. Buxton  
Bruce M. Smith  
Moore Smith Buxton & Trucke, Chtd  
2225 N. 9<sup>th</sup> Street, Suite 420  
Boise, ID 83702

For the Commission Staff :  
(Exhibit Nos. 200-299)

Donald L. Howell, II  
Deputy Attorney General  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

The parties proposed that the Commission adopt the following schedule to process this case.

<u>DATE</u>	<u>ACTION</u>
April 30, 2004	Profile direct testimony of Idaho Power
May 17, 2004	Deadline for City and/or Staff discovery
June 4, 2004	Deadline to answer initial discovery
June 25, 2004	City and/or Staff profile direct testimony
July 8, 2004	Public workshop to dispense information
July 13, 2004	Deadline for Idaho Power discovery to City or Staff
August 2, 2004	Deadline to answer Idaho Power discovery
August 16, 2004	Profile Idaho Power rebuttal testimony
September 9, 2004	Technical hearing in Boise
September 9, 2004	Public hearing in Eagle

Based upon the agreement of the parties, the Commission finds that the schedule set out above is appropriate. The Commission strongly encourages the City and Idaho Power to continue their negotiations to resolve this complaint. In particular, we encourage the parties to concentrate on selecting a preferred route or narrowing the list of acceptable routes for the new transmission line.

#### **NOTICE OF HEARINGS AND WORKSHOP**

YOU ARE HEREBY NOTIFIED that a **public workshop** is scheduled to commence **AT 6:30 P.M. ON JULY 8, 2004, IN THE EAGLE PUBLIC LIBRARY, 100 N. STIERMAN WAY, EAGLE, IDAHO.** The purpose of the public workshop will be for the

Commission Staff to dispense information about this case. The other parties may also present their position.

YOU ARE FURTHER NOTIFIED that a **technical hearing** in this matter is scheduled to commence **AT 9:30 A.M. ON SEPTEMBER 9, 2004, IN THE COMMISSION HEARING ROOM, 472 WEST WASHINGTON STREET, BOISE, IDAHO (334-0300).** The parties shall present their technical witnesses at this time.

YOU ARE FURTHER NOTIFIED that a **public hearing** in this matter is scheduled to follow the technical hearing at **7:00 P.M. ON SEPTEMBER 9, 2004, IN THE EAGLE PUBLIC LIBRARY, 100 N. STIERMAN WAY, EAGLE, IDAHO.** The purpose of this public hearing is to take testimony from members of the public.

YOU ARE FURTHER NOTIFIED that the prepared testimony and exhibits shall conform to the requirements of Rules 266 through 267 of the Commission's Rules of Procedure, IDAPA 31.01.01.266.267. The parties' assigned exhibit numbers are set out above.

YOU ARE FURTHER NOTIFIED that the complaint and its exhibits have been filed and are available for public inspection during regular business hours at the Commission offices. The complaint and exhibits are also available on the Commission's website at [www.puc.state.id.us](http://www.puc.state.id.us) under the "File Room" icon.

YOU ARE FURTHER NOTIFIED that all hearings in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0338 (Telephone)  
(208) 334-3762 (FAX)  
E-Mail: [secretary@puc.state.id.us](mailto:secretary@puc.state.id.us)

YOU ARE FURTHER NOTIFIED that all hearings will be conducted pursuant to the Rules of Procedure adopted by the Commission. IDAPA 31.01.01.000 *et seq.*

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to Title 61 and specifically *Idaho Code* §§ 61-503, 61-508 and 67-6528.

**ORDER**

IT IS HEREBY ORDERED that the Commission adopts the case schedule set out above. The parties shall comply with the schedule set out in this Order.

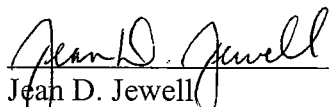
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 13<sup>th</sup> day of April 2004.

  
\_\_\_\_\_  
PAUL KJELLANDER, PRESIDENT

  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

  
\_\_\_\_\_  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

vld/O:IPCE0404\_dh2